

## **REMARKS**

This Amendment is submitted in reply to the Final Office Action dated December 4, 2009. Applicant respectfully requests reconsideration and further examination of the patent application pursuant to 37 C.F.R. § 1.113.

### **Summary of the Examiner's rejections**

Claims 37-72 under 35 U.S.C. § 103(a) as being unpatentable over Black (US 2002/0116485A1) in view of Freese (WO 02/19116A2).

### **Summary of claim amendments**

Applicant has amended claims 37, 39-40, 44-45, 50-51, 55-56, 61-62, 66-67 and 72. The support for the amendments to the independent claims 37, 51 and 62 can be found in paragraphs [0008] and [0027] of the originally filed patent application. The dependent claims 39-40, 44-45, 50, 55-56, 61, 66-67 and 72 were amended for antecedent purposes in view of the amendments to the independent claims 37, 51 and 62. No new subject matter has been added.

### **Remarks regarding the §103(a) rejections**

In the Final Office Action, the Examiner stated that "**Black** discloses Operation Support Services clients (sic) receiving commands for mediating in management information from a manager or network administrator, and passing the commands to the Network Management System servers (**See Black, paragraphs [408]-[416]**)" (see page 15 in the Final Office Action). Applicant thanks the Examiner for clarifying that he has interpreted Black's network administrator/manager to be the claimed origin managers, Black's Operation Support Services client to be the claimed apparatus, and Black's Network Management System servers to be the claimed managed devices. In view of the Examiner's interpretation and to overcome the pending 103 rejections, Applicant has amended independent claim 37 to change the claimed term "origin managers" to "origin managing devices". The amended independent claim 37 is as follows:

37. Apparatus for mediating in management orders between a plurality of origin managing devices and a plurality of managed devices in a telecommunications system, the management orders intended to execute management operations over the managed devices, comprising:

a communication receiver component arranged to receive a management order from one of the origin managing devices;

a management verifier component arranged to determine whether the received management order is an allowed management order by checking whether the management order fits an access attribute comprised in a management access template, the management access template being one selected from the group consisting of: a first management access template in relationship with an identifier of the origin managing device; a second management access template in relationship with an identifier of a managed data object affected by the management order; and a third management access template in relationship with an identifier of a managed device affected by the management order; and

a communication sender component arranged to send an allowed management order to a managed device (emphasis added).

Note: The claimed preamble should be accorded patentable weight because the body of the claim depends on the preamble for completeness.

The claimed apparatus mediates management orders between a plurality of origin managing devices and a plurality of managed devices. In particular, the claimed apparatus receives a management order from one of the origin managing devices and then determines if the received management order is an allowed management order and if it is an allowed management order then the claimed apparatus sends the allowed management order to a managed device. Thus, the claimed apparatus ensures that only the appropriate management operations are executed and, at the same time, alleviates the managed devices from receiving, checking or executing improper management orders (see paragraph [0011] in the patent application). The claimed apparatus's configuration where it mediates an management order from an origin managing device (not a person such as network managers/administrators) to determine if it is an allowed management order and if yes then sends the allowed management order to a managed device is not taught or suggested by Black, Freese or any combination thereof.

The Examiner's closest prior art Black discloses an Operations Support Services (OSS) client that can be used to provision one or more network devices in one or more

networks controlled by one or more network management systems (NMSs). In particular, Black discloses the following:

[0409] Instead of using the GUI to interactively provision services on one network device in real time, a user may provision services on one or more network devices in one or more networks controlled by one or more network management systems (NMSs) interactively and non-interactively using an Operations Support Services (OSS) client and templates. At the heart of any carrier's network is the OSS, which provides the overall network management infrastructure and the main user interface for network managers/administrators. The OSS is responsible for consolidating a diverse set of element/network management systems and third-party applications into a single system that is used, for example, to detect and resolve network faults (Fault Management), configure and upgrade the network (Configuration Management), account and bill for network usage (Accounting Management), oversee and tune network performance (Performance Management), and ensure ironclad network security (Security Management). FCAPS are the five functional areas of network management as defined by the International Organization for Standardization (ISO). Through templates one or more NMSs may be integrated with a telecommunication network carrier's OSS.

(see paragraph [0409])

As can be seen, Black's OSS has a Graphical User Interface (GUI) that network managers/administrators use to manage the overall network infrastructure. As such, Black's OSS does not interface with origin managing devices nor does the OSS receive a management order from one of the origin managing devices to determine if it is an allowed management order and if yes then sends the allowed management order to a managed device. The Examiner can appreciate that Black's network managers/administrators are not the claimed origin managing devices. Thus, Black does not anticipate the presently claimed invention.

Applicant further submits that since Black's OSS provides the "overall network management infrastructure" there is no hint to modify Black's OSS to interface with origin managing devices (rather than network managers/administrators) to receive management orders that are then mediated to determine if they are allowed to be sent to the NMSs. In fact, to make such a modification would mean that Black's OSS would no longer provide the "overall network management infrastructure" since the origin managing devices would in effect be providing the "overall network management

infrastructure". In other words, such a modification to Black would mean that Black's OSS would no longer operate as intended which is to provide the "overall network management infrastructure" and if this occurs then there would be no suggestion or motivation to make the proposed modification (see MPEP 2143.01). Thus, Black by itself does not render obvious the presently claimed invention.

Applicant submits that Freese does not correct Black's deficiencies. The Examiner cited Freese cited in an attempt to correct Black's defects related to the claimed management verifier component. In particular, the Examiner stated the following:

Freese discloses a management verifier component arranged to determined whether the received management order is an allowed management order by checking whether the management order fits an access attribute (wherein operator initiates sending of instruction from originating management console, containing identity of application to be controlled, and is cryptographically signed for authentication)(Freese, FIG.1-FIG.2, page 5, line 23-page 6, line 9).

(see page 8 in the Office Action)

As can be appreciated, the issue of whether or not Freese corrects Black's defect related to the claimed management verifier component has nothing to do with Black's defect related to Black's OSS failure to interface with origin managing devices and to receive a management order from one of the origin managing devices to determine if it is an allowed management order before sending the allowed management order to a managed device. Again, the claimed apparatus is desirable since it ensures that only the appropriate management operations from origin managing devices are executed and, at the same time, alleviates the managed devices from receiving, checking or executing improper management orders (see paragraph [0011] in the patent application). In view of at least the foregoing, Applicant respectfully submits that pending independent claim 37 and the corresponding dependent claims 38-50 are patentable in view of Black, Freese or any combination thereof.

In addition, Applicant upon reviewing the pending Office Action and the Examiner's comments submits that Black and Freese does not disclose or teach at least the following claimed features:

1. The Examiner stated the following "**Black** discloses...a management access template, the management access template being one selected from the group consisting of: a first management access template in relationship with an identifier of the origin manager (*wherein network manager may need to supply username and password upon establishing connection with OSS client, NMS server, and corresponding network device*)(**Black, FIG. 3i, paragraphs [0415]-[0416]**)(see page 3 of Office Action). Applicant has reviewed the cited sections of Black and submits that Black does not disclose a "template" in relationship with an identifier of the origin manager, so as to determine whether a received management order is an allowed management order, before sending it to a managed device.

2. The Examiner stated the following "**Black** does not explicitly disclose a management verifier component arranged to determine whether the received management order is an allowed management order by checking whether the management order fits an access attribute" (see page 4 in Office Action). Applicant submits that the Examiner has also failed to mention or address where the claimed "access attribute" is comprised in a management access "template" held by the management verifier component.

3. The Examiner stated the following "However, **Freese** discloses a management verifier component arranged to determine whether the received management order is an allowed management order by checking whether the management order fits an access attribute (*wherein operator initiates sending of instruction from originating management console, containing identity of application to be controlled and is cryptographically signed for authentication*)(**Freese, FIG. 1-FIG.2, page 5, line 23-page 6, line 9**). Applicant submits that Freese (or Black) does not

disclose a management verifier component within an entity (e.g. Freese Fig.1 [6]) mediating provisioning orders between a plurality of origin managers (e.g. Freese Fig.1 [7]) and a plurality of managed devices (e.g. Freese Fig.1 [2, 4])(see also remarks on pages 18-20 in first amendment dated Sept. 14, 2009).

Moreover, Applicant respectfully submits that amended independent claims 51 and 62 are patentable in view of Black, Freese or any combination thereof. The amended independent claims 51 and 62 recite the same or similar distinguishing limitations that have been discussed above with respect to the amended independent claim 37. As such, the aforementioned remarks regarding the patentability of the amended independent claim 37 apply as well to the amended independent claims 51 and 62. Accordingly, Applicant respectfully requests the allowance of the amended independent claims 51 and 62 and their corresponding dependent claims 52-61 and 63-72.

### **CONCLUSION**

In view of the foregoing remarks, Applicant believes all of the claims currently pending in the application to be in a condition for allowance. Therefore, Applicant respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for pending claims 37-72.

The Commissioner is hereby authorized to charge any fees for this paper to Deposit Account No. 50-1379.

Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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